

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

TERRY MITCHELL,

Defendant.

**INDICTMENT**

23 Cr.

23 CRIM 198

**COUNT ONE**

**(Possession of a Firearm After a Felony Conviction)**

The Grand Jury charges:

1. On or about October 20, 2022, in the Southern District of New York and elsewhere, TERRY MITCHELL, the defendant, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition, to wit: (i) one Rossi model 461 .357 magnum caliber revolver, serial number YH325395 (the "Firearm"); and (ii) three rounds of .357 ammunition (the "Ammunition"), and the Firearm and Ammunition were in and affecting commerce.

(Title 18, United States Code, Sections 922(g)(1) and 2.)

**FORFEITURE ALLEGATION**

2. As a result of committing the offense alleged in Count One of this Indictment, TERRY MITCHELL, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any and all firearms and ammunition involved in or used in said offense, including but not limited to: (i) one Rossi model 461 .357 magnum caliber revolver, serial number YH325395; and (ii) three rounds of .357 ammunition.

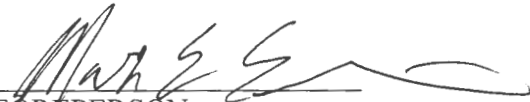
**Substitute Assets Provision**

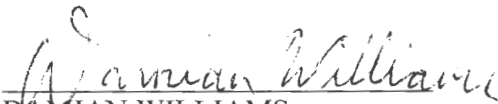
3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 924;  
Title 21, United States Code, Section 853; and  
Title 28, United States Code, Section 2461.)

  
FOREPERSON

  
DAMIAN WILLIAMS  
United States Attorney